

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Crl.P.No.4446 of 2015

ORDER

This petition under Section 482 Cr.P.C., is filed by the petitioner against the order dated 09.07.2014 passed in I.A.No.1430 of 2012 in F.C.O.P.No.52 of 2012 on the file of the Judge, Family Court-cum-V Additional District and Sessions Judge, Visakhapatnam.

2. The second respondent herein filed F.C.O.P.No.52 of 2012 seeking to grant maintenance from her husband i.e., the petitioner herein. She also filed I.A.No.1430 of 2012 for interim maintenance. The trial Court, after considering the material on record, directed the petitioner herein to pay a sum of Rs.7,000/- per month to the second respondent towards interim maintenance. Challenging the same, the petitioner filed the present criminal petition.

3. Learned counsel for the petitioner submitted that the petitioner is only a retired employee drawing a monthly salary of Rs.20,000/-per month towards his pension and therefore, he prays to reduce the interim maintenance granted by the trial Court.

4. In view of the fact that the petitioner is a retired employee drawing a monthly pension of Rs.20,000/-, I deem it appropriate to dispose of the Criminal Petition, directing the petitioner to pay a sum of Rs.5,000/- per month in stead of Rs.7,000/-, as awarded by the trial Court, to the second respondent towards interim maintenance from the date of the petition. The trial Court is directed to dispose of FCOP No.52 of 2012 as expeditiously as possible by granting maintenance depending upon the facts and circumstances of the case at the time of final adjudication.

5. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this petition shall stand closed.

M.S.K.JAISWAL, J

12th June, 2015

sj